IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

WRIT PETITION NO.89 OF 2007

Smt.Janabai Tukaram Pethkar. ..Petitioner.
Vs,.
The State of Maharashtra and ors. ..Respondents.

WITH
WRIT PETITION NO.90 OF 2007

Shri. Mangalya Rama Mhatre since deceased through LR. H.M.Mhatre.
..Petitioner.
Vs.
The State of Maharashtra and ors. ..Respondents.

WITH
WRIT PETITION NO.91 OF 2007

Shri. Undir H. Gondhali. ..Petitioner.
Vs.
The State of Maharashtra and ors. ..Respondents.

WITH
WRIT PETITION NO.92 OF 2007

Smt. Shantibai G. Mhatre. ..Petitioner.
Vs.
The State of Maharashtra and ors. ..Respondents.

WITH
WRIT PETITION NO.93 OF 2007

Chandrakant Janu Mhatre and ors. ..Petitioners.
Vs.
The State of Maharashtra and ors. ..Respondents.

WITH
WRIT PETITION NO.94 OF 2007

Shri. Hirya Kanu Mhatre. ..Petitioner.
Vs.
The State of Maharashtra and ors. ..Respondents.

.....

Mr.S.G.Surana for the Petitioners.

Mrs.M.P.Thakur, AGP. for the Respondents in W.P. Nos. 89/2007 and 91/2007 to 94/2007.

Mrs.S.S.Bhande, AGP. for the Respondents in WP.90/2007.

CORAM: S.B. MHASE &
R.S. MOHITE, JJ.
DATE : 16th April, 2007

P.C.

1. Heard both sides.

2. It is unfortunate that inspite of the lands of the petitioners having been acquired by the Government and the Reference under Section 18/28(3) having been decided in favour of the petitioners, the enhanced amount of the compensation has not been paid by the Government. It is further very painful that even though the petitioners have filed execution proceedings before the Civil Judge, the Civil Judge has not taken proper steps to recover the amount from the Government and to pay it to the petitioners in the pending executing proceedings. We, therefore, direct the Civil Judge, Senior Division, Raigad that the execution proceedings filed by the aforesaid petitioners shall be disposed of as expeditiously as possible, without giving undue time to the Government for depositing the money. If the Government is taking undue time and trying to prolong the execution proceedings, the Civil Judge shall come

forward to take the appropriate steps to recover the amount from the Collector and Land Acquisition Officer. With these directions, the aforesaid petitions are disposed of.

3. We hope that the Civil Judge, Senior Division, Raigad will try to dispose of the execution proceedings filed by the petitioners within a period of 12-weeks from today.

(R.S. MOHITE, J.) **(S.B. MHASE, J.)**